

REMARKS/ARGUMENTS

In the Office Action mailed on April 30, 2009, claims 1-4 are rejected and claims 5-9 are withdrawn from further consideration. Additionally, as stated in the Office Action, the declaration includes an incorrect filling date of the priority document and a new declaration in which the current application is identified by the application number and the correct filling date is required. In response, claims 1-4 have been amended and new claims 10-15 have been added. Additionally, a new declaration in which the current application is identified by the application number and the correct filling date is submitted herein. Applicants hereby request reconsideration of the application in view of amended claims, the new claims, and the below-provided remarks.

Election/Restrictions

Applicants respectfully submit that there is unity of invention for the current application. Thus, Applicants respectfully request that the Examination of the pending claims 1-15 as a whole, continue. Because the pending claims 1-15 should be examined as a whole, Applicants respectfully request that claims 5-9, which are withdrawn from further consideration in the Office Action, be considered.

In particular, Applicants respectfully submit that there is a technical relationship among the inventions, which are disclosed in original claims 1-9, involving one or more of the same or corresponding special technical features. Specifically, Applicants respectfully submit that claims 1, 5 and 9 as filed on August 16, 2006 include the same special technical features “*one or more nozzles configured to protrude toward a cutting blade for cutting a semiconductor device*” and “*the channel being configured to at least partially surround the cutting blade, so as to simultaneously direct flow of a fluid onto the cutting edge of the cutting blade and onto the sides of the cutting blade.*”

Where a group of inventions is claimed in one and the same international application, the requirement of unity of invention referred to in Rule 13.1 shall be fulfilled only when there is a technical relationship among those inventions involving one or more of the same or corresponding special technical features. The expression "special technical features" shall mean those technical features that define a contribution which

each of the claimed inventions, considered as a whole, makes over the prior art. (See MPEP §1850 PCT RULE 13.2).

Applicants respectfully assert that the above-identified special technical features define a contribution which each of the claimed inventions, which are disclosed in claims 1, 5 and 9 as filed on August 16, 2006, considered as a whole, makes over the prior art. Thus, Applicants respectfully submit that there is unity of invention for the current application.

Additionally, Applicants have reviewed the International Search Report (ISR), the International Preliminary Report on Patentability (IPRP), and the Written Opinion (WO) for Application No. PCT/IB2005/050662 (Pub. No. WO 2005/080059 A1, published on September 1, 2005), which corresponds to this national application. The ISR, the IPRP, and the WO note no issues with respect to a “Lack of Unity of Invention” in original claims 1-9. Therefore, the review made by WIPO regarding Applicants’ invention showed no need to parse out original claims 1-9 and found no undue burden in performing a search on all of the claims. Thus, Applicants respectfully submit that there is no need to parse out pending claims 1-15 and that there is no undue burden in performing a search on all of the pending claims 1-15.

In light of the arguments presented, Applicants respectfully request that the Examination of the pending claims 1-15 as a whole, continue. Because the pending claims 1-15 should be examined as a whole, Applicants respectfully request that claims 5-9, which are withdrawn from further consideration in the Office Action, are considered.

Information Disclosure Statement

The Office Action states that the International Search Report (ISR) of the corresponding PCT Application has not been received. In response, a copy of the International Search Report (ISR) of the PCT Application No. PCT/IB2005/050662 (Pub. No. WO 2005/080059 A1, published on September 1, 2005), which corresponds to this national application, is submitted herein.

Claim Rejections under 35 U.S.C. 112

Claim 2-4 are rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

In particular, the Office Action states that there is insufficient antecedent basis for the phrase “the nozzles” in claim 2. In response, claim 2 has been amended to replace the phrase “the nozzles” with the phrase “*the one or more nozzles.*”

Additionally, the Office Action states that there is insufficient antecedent basis for the phrase “the nozzle” in claim 3. In response, claim 3 has been amended to replace the phrase “the nozzle” with the phrase “*the one or more nozzles.*” Additionally, the Office Action states that claim 3 is vague because “the invention is being positively defined in terms of structure (e.g., the semiconductor device) that is not part of the claim invention.” Applicants respectfully submit that amended claim 1 recites in part “*one or more nozzles configured to protrude toward a cutting blade for cutting a semiconductor device*” (emphasis added) and that amended claim 3 recites that “*the one or more nozzles are oriented generally toward the semiconductor device while the cutting blade is dicing the semiconductor device*” (emphasis added). Thus, Applicants respectfully submit that amended claim 3 is not vague.

The Office Action also states that the phrases “a plurality of nozzles,” “a cutting blade,” and “a channel” in claim 4 are vague. In response, claim 4 has been amended to recite that “*the one or more nozzles comprises a plurality of nozzles.*”

As a result, Applicants respectfully request that the rejections to claims 2-4 under 35 U.S.C. 112, second paragraph be withdrawn. Applicants note that claims 1-3 have been amended to correct some informalities.

Claim Rejections under 35 U.S.C. 102 and 35 U.S.C. 103

Claims 1-3 are rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Tondini (EP 0 955 119 A2 and/or B1). Claim 4 is rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Tondini. However, Applicants respectfully submit that the pending claims are neither anticipated by Tondini nor obvious over Tondini for the reasons provided below.

Independent Claim 1

Applicants respectfully assert that claim 1 is not anticipated by Tondini. In particular, Applicants respectfully assert that Tondini fails to disclose “*one or more nozzles configured to protrude toward a cutting blade for cutting a semiconductor device*” (emphasis added), as recited in claim 1.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Tondini discloses a disk housing for an electric cutter with a water-cooled disk. (See abstract and paragraph [0001] of EP 0 955 119 A2). However, Tondini is silent on the electric cutter having a cutting blade for cutting a semiconductor device. Additionally, Tondini discloses cutting tables for tiles or the like above which a longitudinal horizontal guide is mounted are known as electric cutters. (See paragraph [0002] of EP 0 955 119 A2). Tondini also discloses that a coupling means (24) allows a disk blade housing assembly to oscillate about an axis of a shaft of a motor of a tile cutter. (See paragraph [0016] of EP 0 955 119 A2). That is, Tondini discloses a disk housing for an electric cutter for cutting tiles with a water-cooled disk. Because Tondini is silent on the electric cutter having a cutting blade for cutting a semiconductor device and Tondini discloses a disk housing for an electric cutter for cutting tiles with water-cooled disk, Applicants respectfully assert that Tondini fails to disclose “*one or more nozzles configured to protrude toward a cutting blade for cutting a semiconductor device*”(emphasis added), as recited in claim 1.

Because Tondini fails to disclose all of the limitations of claim 1, Applicants respectfully assert that claim 1 is not anticipated by Tondini and now in condition for allowance.

Dependent Claims 2-4

Claims 2-4 depend from and incorporate all of the limitations of independent claim 1. Thus, Applicants respectfully assert that claims 2-4 are allowable at least based

on an allowable claim 1. Additionally, claim 4 is allowable for further reasons, as described below.

Claim 4

Applicants respectfully assert that Tondini fails to disclose or teach that “*the one or more nozzles comprises a plurality of nozzles*” (emphasis added), as recited in amended claim 4. Additionally, Applicants respectfully assert that it is also not obvious to one having ordinary skills in the art to provide a nozzle assembly having multiple nozzles on the device of Tondini. Accordingly, Applicants respectfully assert that amended claim 4 is patentable over Tondini.

New Claims 10-15

Claims 10-15 have been added. Support for new claims 10 and 11 is found in Applicants’ specification at, for example, Figs. 9A and 9B, original claims 1-4, and page 13, lines 18-28. Support for new claims 12-15 is found in Applicants’ specification at, for example, Figs. 9F-9I, original claims 1-4, and page 143, lines 12-26.

Claims 10-15 depend from and incorporate all of the limitations of independent claim 1. Thus, Applicants respectfully assert that claims 10-15 are allowable at least based on an allowable claim 1. Additionally, claims 10-15 are allowable for further reasons, as described below.

Claims 10 and 11

Applicants respectfully assert that Tondini fails to disclose that “*the pipe member comprises an inlet at one end and a fluid passage extending from the inlet to an opening in the side of the pipe member*” (emphasis added), as recited in claim 10. Additionally, Applicants respectfully assert that Tondini fails to disclose that “*the one or more nozzles are connected to the pipe member through the opening in the side of the pipe member*” (emphasis added), as recited in claim 11.

Tondini discloses that a water supply duct (11) is connected to a nozzle (12) through a 90 DEG coupling (39). (See Fig. 1 and paragraphs [0013] and [0018] of EP 0 955 119 A2). As shown in Fig. 1 of Tondini, Tondini discloses that the 90 DEG coupling

(39) is at one end of the water supply duct (11). Thus, Applicants respectfully assert that Tondini fails to disclose that the 90 DEG coupling (39) is connected to the side of the water supply duct (11). Thus, Applicants respectfully assert that Tondini fails to disclose the above-identified limitations of claims 10 and 11.

Claims 12-15

Applicants respectfully assert that Tondini fails to disclose that “*the channel withholds the fluid*” (emphasis added), as recited in claim 12. Tondini discloses that a cutting disk blade (D) cuts through a nozzle (12). (See Figs. 1, 2, and 4, and paragraph [0015] of EP 0 955 119 A2). Because Tondini discloses that the cutting disk blade (D) cuts through the nozzle (12), Applicants respectfully assert that Tondini fails to disclose that the nozzle (12) has a channel that can withhold water. Thus, Applicants respectfully assert that Tondini fails to disclose that “*the channel withholds the fluid*” (emphasis added), as recited in claim 12.

Additionally, Applicants respectfully assert that Tondini fails to disclose the individual limitations of claims 13-15.

CONCLUSION

Applicants respectfully request reconsideration of the claims in view of the amendments and remarks made herein. A notice of allowance is earnestly solicited.

Petition is hereby made under 37 CFR 1.136(a) to extend the time for response to the Office Action of 07/30/2009 to and through 08/30/2009, comprising an extension of the shortened statutory period of one month.

At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account **50-4019** pursuant to 37 C.F.R. 1.25. Additionally, please charge any fees to Deposit Account **50-4019** under 37 C.F.R. 1.16, 1.17, 1.19, 1.20 and 1.21.

Respectfully submitted,

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